

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ARLENE CAMPBELL,

Plaintiff,

vs.

S.F. CA. CITY HALL SUPERVISOR CITY
AND COUNTY OF SF, CA, STATE AND USA,

Defendant.

Case No: C 09-2094 SBA

**ORDER DISMISSING ACTION
WITH LEAVE TO AMEND**

Plaintiff Arlene Campbell filed the instant action pro se, ostensibly against the San Francisco Board of Supervisors. She has also filed an application to proceed in forma pauperis (IFP). Under 28 U.S.C. § 1915(e)(2), federal courts are authorized to review claims filed IFP prior to service and to dismiss the case at any time if the court determines that: (1) the allegation of poverty is untrue; (2) the action is frivolous or malicious; (3) the action fails to state a claim; or (4) the action seeks monetary relief from a defendant who is immune from such relief. A pleading filed by a pro se plaintiff must be liberally construed. Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 699 (9th Cir. 1990).

Plaintiff's Complaint is largely unintelligible. Though not entirely clear, it appears that she is complaining about the "hostile takeover" of a "community access TV station." Despite liberally construing Plaintiff's allegations, the Court is unable to discern the factual or legal basis (if any) of her claim, what relief she seeks or that she has standing to raise any claims against Defendant. Nevertheless, the Court will permit Plaintiff an opportunity to amend her complaint to correct these deficiencies.

Because the plaintiff is proceeding pro se, the Court will provide guidance on the type of information that should be included in an amended complaint. Plaintiff must: (1) identify the Defendant or Defendants she is suing; (2) the specific conduct of each Defendant which forms the

1 basis of her claim; (3) the legal basis of her claim; and (4) the relief sought. Plaintiff is advised to
2 review the Federal Rules of Civil Procedure, and in particular Rule 8(a)(2), which “requires a
3 complaint to include a short and plain statement of the claim showing that the pleader is entitled to
4 relief ... to give the defendant fair notice of what the claim is and the grounds upon which it rests.”
5 Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007).

6 Finally, the Court notes that although Plaintiff is representing her in this action, she is
7 expected to comply with all applicable procedural rules. See King v. Atiyeh, 814 F.2d 565, 567
8 (9th Cir. 1987). Plaintiff failed to appear for the Case Management Conference scheduled for
9 September 16, 2009, in violation of a court order. Plaintiff is warned that the failure to comply
10 with the orders and rules of this Court may be considered grounds for dismissal of the action, with
11 prejudice. See Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995); Ferdik v. Bonzelet, 963 F.2d
12 1258, 1260-61 (9th Cir. 1992). Accordingly,

13 IT IS HEREBY ORDERED THAT the instant action is DISMISSED. Plaintiff shall have
14 14 days for the date this Order is filed to file an amended complaint that complies with the above.
15 Failure to file an amended complaint within that timeframe or violate another court order or rule
16 will result in the dismissal of this action with prejudice.

17 IT IS SO ORDERED.

18
19 Dated: September 18, 2009


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 ARLENE CAMPBELL,

5 Plaintiff,

6 v.

7 SAN FRANCISCO CALIFORNIA CITY HALL
8 SUPERVISORS et al,

9 Defendant.
10 _____/

Case Number: CV09-02094 SBA

11 **CERTIFICATE OF SERVICE**

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
13 Court, Northern District of California.

14 That on September 18, 2009, I SERVED a true and correct copy(ies) of the attached, by placing
15 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
16 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
17 receptacle located in the Clerk's office.

18 Arlene Campbell
19 1388 Haight Street, #8
20 San Francisco, CA 94117

Dated: September 18, 2009

Richard W. Wieking, Clerk

By: LISA R CLARK, Deputy Clerk